

September 11, 2006

**VIA FEDERAL EXPRESS**

Joseph C. Spero  
United States Magistrate Judge  
U.S. District Court  
Northern District of California  
450 Golden Gate  
San Francisco, CA 94102

**Re: Passanisi v. Terex, et al.**  
**Action No. C-05-1556 SBA (JCS)**

Dear Magistrate Spero:

This joint letter is to provide you with a further status report on the meet and confer session that has been held between plaintiff's counsel and defense counsel in order to resolve the discovery issues raised by plaintiff's motion to compel further responses to discovery. Following further discussions between counsel we have resolved all disputes with the exception of several discovery requests relating to corporate structure and identity of directors and officers.

Counsel jointly requests at least one additional week to resolve this dispute through negotiation. The parties appreciate the Court's patience and accommodation of our meet and confer efforts.

Joseph C. Spero  
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Very truly yours,  
CARROLL, BURDICK & McDONOUGH LLP

/s/

Larry B. Panek

WALKUP, MELODIA, KELLY, WECHT &  
SCHOENBERGER

/s/

Matthew D. Davis

LBP:tli

IT IS HEREBY ORDERED THAT the parties shall have until September 18, 2006, to  
file their Joint Letter Brief.

Dated: Sept. 11, 2006.

